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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

BUI, KIEU OANH T

ART UNIT PAPER NUMBER

2611

DATE MAILED: 06/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/891,331

Applicant(s)

AXELSSON ET AL.

Examiner

KIEU-OANH T. BUI

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-15 and 22-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Levitt (U.S. Patent Pub US2002/0151327 A1).**

Regarding claim 1, Levitt discloses "a method of managing Electronic Program Guide data in a digital entertainment system comprising a multimedia terminal said method comprising the following steps: retrieving Electronic Program Guide data; transferring said Electronic Program Guide data to a mobile terminal; editing said Electronic Program Guide data by means of said mobile terminal; and transferring said Electronic Program Guide data to said multimedia terminal", i.e., electronic program guide data or EPGs is retrieved from the set top box or a multimedia terminal, refer to col. 1/par. 0006 & page 2/par. 0011, and the EPGs is transferring to a mobile device or PDA device, and a user of the PDA can review and editing/customizing his/her preference choice and then provides their command back to the multimedia device, refer to Figs. 1 & 4D-4E, and page 3/par. 0017-0019.

As for claim 2, Levitt discloses “wherein the step of transferring said Electronic Program Guide data to a mobile terminal is preceded by the additional step of editing said Electronic Program Guide data”, i.e., the EPG data is being updated or edited before transmitting to the mobile terminal, refer to page 9/par. 0147 as schedules can be updated before the user performs synchronization to the mobile device.

As for claim 3, Levitt further discloses “wherein the step of editing said Electronic Program Guide data comprises setting a reminder, requesting a recording, and/or filtering said Electronic Program Guide data” (page 18/par. 0314 to 0336 for a scenario of setting a reminder, requesting a recording and do filtering for some programs not interested).

As for claim 4, Levitt further discloses “wherein the step of transferring said Electronic Program Guide data to said multimedia terminal is preceded by the additional step of transferring said Electronic Program Guide data from said mobile terminal to a second mobile terminal”, i.e., PDA mobile device can connect to other wireless mobile or fixed device using two-way wireless technology and protocols, i.e., RF or Bluetooth (page 3/par. 0018).

As for claim 5, Levitt further discloses “wherein the additional step of transferring said Electronic Program Guide data from said mobile terminal to a second mobile terminal comprises using IR communication or a Short Message Service” (page 3/par. 0018 for IRDA communication).

As for claim 6, Levitt further discloses “wherein said mobile terminal comprises any of the following: a mobile phone, a Personal Digital Assistant, and a remote control” (page 2/par. 0011 & page 3/par. 0017 & 0018).

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As for claims 7 and 8, Levitt further discloses “wherein the step of retrieving Electronic Program Guide data comprises using a cable, terrestrial, or satellite network, or a data network” (page 1/par. 0006 for cable, terrestrial and satellite networks, and page 3/par. 0021 & page 5/par. 0071 for Internet as a data network); and “wherein said data network comprises the Internet” (page 3/par. 0021 & page 5/par. 0071).

As for claim 9, Levitt further discloses “wherein the step of transferring said Electronic Program Guide data to a mobile terminal comprises using any of the following: infrared communication, radio communication, and wired communication” (page 3/par. 0018).

As for claim 10, Levitt further discloses “wherein said radio communication operates in accordance with the Bluetooth® standard” (page 3/par. 0018).

As for claim 11, Levitt discloses “wherein using wired communication comprises using a docking station” (wired cradle as a docking station, page 3/par. 0018).

As for claims 12 and 13, Levitt discloses “wherein the step of transferring said Electronic Program Guide data to said multimedia terminal involves an authentication procedure” and “wherein said authentication procedure comprises supplying a PIN code to said multimedia terminal” (page 15/par. 0272 as an authentication using a PIN code between the handheld device and the set top box).

As for claim 14, Levitt discloses “wherein the step of editing said Electronic Program Guide data by means of said mobile terminal comprises filtering said Electronic Program Guide data by means of a personalized filter” (page 3/par. 0022-0023 for filtering within the mobile terminal for personalized pages).

As for claim 15, Levitt discloses “wherein said Electronic Program Guide data comprises any of the following items: TV channel, name, unique identification, start and stop times, classification, abstract, and Internet Protocol address” (Figs. 4B, 4D, 4E, and page 12/par. 0212 to par. 0217).

Regarding claims 22-27 and 28-31, these claims with same or similar features for a mobile terminal (page 6/par. 0073-0078 for additional details on mobile terminal and software architecture) and a computer program product, respectively, applied the method of claims 1-15 are rejected for the reasons given in the scope of claims 1-15 as disclosed in detailed above.

3. Claims 16-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Russ et al. (U.S. Patent Pub US2002/0059642 A1).

Regarding claim 16, Russ discloses “a multimedia terminal comprising: control electronics; a tuner connected to said control electronics; an electronic storage connected to said control electronics; an encoder connected to said control electronics; a communication device connected to said control electronics for communication with a mobile terminal; a display connector and to wherein said terminal is arranged to receive Electronic Program Guide data transmitted by said mobile terminal” (Figs. 1A-1C & 2, and page 2/par. 0022-0023 and page 4/par. 0039-0041 for components of the set top box includes all of the claimed elements, and the set top box or multimedia terminal communicates wirelessly to other mobile terminal, refer to page 3/par. 0035-0036 as well as receiving the EPG data, page 5/par. 0043 & 0048).

As for claim 17, Russ further discloses “comprising a device for connecting to a cable, terrestrial, or satellite network, or to a data network” (Fig. 1, and page 1/par. 0021).

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As for claim 18, Russ further discloses “comprising an infrared communication device, a radio communication device, or a wired communication device” (Figs. 2 & 4, and page 4/par. 0039-0040).

As for claim 19, Russ further discloses “wherein said radio communication device operates in accordance with the Bluetooth® standard” (page 1/par. 0004).

Claim Rejections - 35 USC 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russ et al (U.S. Patent Pub US 2002/0059642 A1) in view of Levitt (U.S. Patent Pub US 2002/0151327 A1).

Regarding claim 20, Russ does not show “wherein said wired communication device comprises a docking station”; however, this is so well known in the art. In fact, Levitt discloses to use a wired cradle as a docking station for communicating between the mobile device and the PC (Levitt, page 3/par. 0018). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Russ’ system with a wired cradle as a docking station for communicating between the mobile device and the PC as taught by Levitt as

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some alternative method for either wireless or wired two-way connection between the mobile device and the PC using the data network or the Internet.

As for claim 21, Russ does not further describe “wherein said Electronic Program Guide data comprises any of the following items: TV channel, name, unique identification, start and stop times, classification, abstract and Internet Protocol address”; however, Levitt teaches these claimed features (Levitt, Figs. 4B, 4D, 4E, and page 12/par. 0212 to par. 0217). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Russ’ system with Levitt’s detailed features of the EPG data as noted in order to offer the user detailed features of the electronic program guide for their enjoyment in searching and selecting preferred elements from the EPG as noted.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bergstedt (US Pat. No. 6,750,886 B1) discloses a method and software for displaying information on a display area of a screen of an electronic device.

Safadi (US. Pat. No. 20020273339 A1 & 6,862,460 B2) discloses a self-configurable multipurpose modular portable device and methods for configuring.

Kostreski et al. (US Pat. No. 5,734,589) disclose a digital entertainment terminal with channel mapping.

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7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306, (for Technology Center 2600 only)

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu-Oanh Bui whose telephone number is (571) 272-7291. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:30 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant, can be reached on (571) 272-7294.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kieu-Oanh Bui
Primary Examiner
Art Unit 2611

KB

June 10, 2005